

## DETAILED ACTION

This communication is a Final Office Action rejection on the merits in response to communications received on January 04, 2010. Claims 1-3, 11, 17, 20-26, 30-35, and 38-51 have been withdrawn from consideration. Claims 4, 9, 10, and 16 have been cancelled. Claim 52 has been added. Claims 5-8, 12-15, 18, 19, 27-29, 36, 37, and 52 are currently pending and have been addressed below.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 5-8, 12-15, 18, 19, 27-29, 36, 37, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harmes et al. (US 2004/0085355) in view of Rivette et al. (US 2007/0208669).

**As per Claim 52,** Harmes et al. discloses an agreement management system including a server device (Fig. 1 (102) via server) and a storage device ([0026] via a memory), comprising:

the server device including:

an agreement data registering unit to register basic information including an identifier of an agreement, subject of the agreement and a price condition as

agreement data ([0045-0046]; Claims 27-28, discloses classifying (i.e. registering) information pertaining to a contract (i.e. agreement)); and

the agreement data registering unit stores the agreement data in the storage device (Claim 1, discloses a database storing electronic contract documents (i.e. agreement data) wherein each electronic contract document associated with a contract category of a plurality of contract categories).

However, Harmes et al. fails to explicitly disclose a balance data registering unit; an access right registering unit; and an access right check unit.

Rivette et al. discloses managing license agreements with the concept of a balance data registering unit to register a balance data corresponding to the agreement identified by the basic information ([2333] via report tracks the payment amount allocated to a license agreement and compares it to the expected revenue amount providing a balance due); the balance data registering unit stores the balance data in the storage device (Fig. 286A-286C; [2332] via balance due (i.e., balance data) being stored in a database); an access right registering unit to register, in a table of a storage device, a right to access the agreement data or the balance data; and an access right check unit which checks the access allowance/denial of the user to the agreement data or the balance data using the table ([0886-0917] discloses checking the access rights of a user based on information stored in a user\_table database).

Therefore, from the teaching of Rivette et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the contract management system of Harmes et al. to include a balance data registering unit; an

access right registering unit; and an access right check unit as taught by Rivette et al. in order to aid in managing license agreements and royalty revenues from the license agreements.

**As per Claim 5,** Harmes et al. discloses the claimed invention as applied to Claim 4, above. However, Harmes et al. fails to explicitly disclose a unit to process data of a money amount.

Rivette et al. discloses managing license agreements with the concept of a unit to process data of a money amount, which is handled as balance data incurred by an agreement, is processed in a currency unit of a money amount of an income of an expenditure, adding an exchange rate, and registering the money amount (Fig. 265; [281] via entering revenue received from the sale (i.e. money amount) and the currency unit for the revenue, wherein the royalty due is determined based on the information provided).

Therefore, from the teaching of Rivette et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the contract management system of Harmes et al. to include a unit to process data of a money amount as taught by Rivette et al. in order to aid in managing license agreements and royalty revenues resulting from the license agreements.

**As per Claim 6,** Harmes et al. discloses the claimed invention as applied to Claim 4, above. However, Harmes et al. fails to explicitly disclose registering data distributed to or shared by a third party.

Rivette et al. discloses managing license agreements with the concept of said balance data registering unit has a function for registering data distributed to or shared by a third party other than agreement parties for data of an income or payment money amount ([2160-2180] via inputting payment amount the licensee sends to the licensor wherein the License Administrator (i.e. third party) is provided with the payment information).

Therefore, from the teaching of Rivette et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the contract management system of Harmes et al. to include registering data distributed to or shared by a third party as taught by Rivette et al. in order to aid in managing license agreements and royalty revenues resulting from the license agreements.

**As per Claim 7,** Harmes et al. discloses the claimed invention as applied to Claim 4, above. However, Harmes et al. fails to explicitly disclose a relevant division registering unit to register data of an income or an expenditure stipulated by a consideration condition.

Rivette et al. discloses managing license agreements with the concept of a relevant division registering unit to register data of an income or an expenditure stipulated by a consideration condition, which is one item of agreement information as distribution information or sharing information among relevant divisions within a company ([2157-2180] discloses registering a payment (i.e. an amount of money the licensee sends to the licensor based on the amount they owe for fees, royalties, advances, minimum guarantees, and other compensation terms) within the system).

Therefore, from the teaching of Rivette et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the contract management system of Harmes et al. to include a relevant division registering unit to register data of an income or an expenditure stipulated by a consideration condition as taught by Rivette et al. in order to aid in managing license agreements and royalty revenues resulting from the license agreements.

**As per Claim 8,** Harmes et al. discloses the claimed invention as applied to Claim 4, above. However, Harmes et al. fails to explicitly disclose a unit to extract an income amount or and expenditure amount from the balance data relevant to the agreement.

Rivette et al. discloses managing license agreements with the concept of a unit to extract an income amount or and expenditure amount from the balance data relevant to the agreement, and respectively to aggregate and to output an income amount and an expenditure amount for a running royalty balance of one or more agreements selected with specification in a predetermined term ([2332; 2340] via generating reports from the information contained in the databases. IP Asset-Historical Royalties report lists the agreements that license out the asset and provides a running total of royalties earned (i.e. running royalty balance)).

Therefore, from the teaching of Rivette et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the contract management system of Harmes et al. to include a unit to extract an income amount or and expenditure amount from the balance data relevant to the agreement as taught by

Rivette et al. in order to aid in managing license agreements and royalty revenues resulting from the license agreements.

**As per Claim 12,** Harmes et al. discloses a notifying unit to notify a user of every deadline including at least agreement expiry date, an update deadline, an implementation report deadline, an installment payment due date, at a predetermined time point (Fig. 9; [0021; 0050; 0056] via the system sending e-mail reminders of the dates upon events such as contract renewal or performance deadlines occur).

**As per Claim 13,** Harmes et al. discloses said notifying unit makes a notification to a responsible division via e-mail (Fig. 9; [0021; 0050; 0056] via the system sending e-mail reminders).

**As per Claim 14,** Harmes et al. discloses a unit to register presence/absence and abortion/resume of an implementation report registered in accompaniment with a consideration condition, which is part of agreement information ([0034] discloses a user being capable of editing stored documents, delete documents, and add documents. The forms contracts file registers the edited, deleted, and added documents via tracking and archiving versions of the documents.).

**As per Claim 15,** Harmes et al. discloses the claimed invention as applied to Claim 4, above. However, Harmes et al. fails to explicitly disclose a unit to register at least agent information and its expense.

Rivette et al. discloses managing license agreements with the concept of a unit to register at least agent information and its expense, as one item of information about

an agreement (Fig. 292B, discloses registering company information and its revenue as a line item about an agreement).

Therefore, from the teaching of Rivette et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the contract management system of Harmes et al. to include a unit to register at least agent information and its expense as taught by Rivette et al. in order to aid in managing license agreements and royalty revenues resulting from the license agreements.

**As per Claim 18,** Harmes et al. discloses a unit to search for corresponding agreement data by selecting a predetermined item from among data of various registered agreements, and to output searched data ([0021] via user can store and view different version of contracts and search the text of documents for words and phrases).

**As per Claim 19,** Harmes et al. discloses a unit to search for a data portion input as a document (text) in a traverse manner among agreement data and balance data ([0021] via user can store and view different version of contracts and search the text of documents for words and phrases).

**As per Claim 27,** Harmes et al. discloses an adding/registering unit to add an additional number (version number) to a management number of a agreement data if an additional arrangement by an addition or modification is made to agreement conditions, of the registered agreement data, and to register the agreement data (Fig. 7; [0043] discloses providing a version number in reference to a contract (i.e. agreement) that has been modified).

**As per Claim 28,** Harmes et al. discloses said adding/registering unit makes an addition/modification based on the agreement data, and records and manages information differing from original agreement data ([0034] via user can edit stored documents, delete documents, and add documents. The form contract file can be used to track and archive versions of the organization's form contracts.).

**As per Claim 29,** Harmes et al. discloses a registration screen switching unit to register a plurality of items of data by switching a screen depending on an agreement target and an agreement condition ([0045-0046]; Claims 27-28, discloses classifying information pertaining to a contract (i.e. agreement)).

**As per Claim 36,** Harmes et al. discloses the claimed invention as applied to Claim 4, above. However, Harmes et al. fails to explicitly disclose a unit to extract an agreement whose implementation report is to be made from individual registered agreements.

Rivette et al. discloses managing license agreements with the concept of a unit to extract an agreement whose implementation report is to be made from individual registered agreements, and to display the extracted agreement along with a report deadline ([2342] via generating an intellectual property license summary report that provides a summary of agreements for each licensee).

Therefore, from the teaching of Rivette et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the contract management system of Harmes et al. to include a unit to extract an agreement whose implementation report is to be made from individual registered agreements as taught by

Rivette et al. in order to aid in managing license agreements and royalty revenues resulting from the license agreements.

**As per Claim 37,** Harmes et al. discloses the claimed invention as applied to Claim 4, above. However, Harmes et al. fails to explicitly disclose a unit to display or to print a bill.

Rivette et al. discloses managing license agreements with the concept of a unit to display or to print a bill in a predetermined format based on data selected from among registered balance data (Fig. 292A & B, via providing a royalty statement providing the royalty due (i.e. bill)).

Therefore, from the teaching of Rivette et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the contract management system of Harmes et al. to include a unit to display or to print a bill as taught by Rivette et al. in order to aid in managing license agreements and royalty revenues resulting from the license agreements.

### ***Response to Arguments***

Applicant's argument are directed to newly added claim 52 which comprises new claim limitations. Applicant's arguments have been addressed in the rejection stated above.

### ***Conclusion***

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FONYA LONG whose telephone number is (571)270-5096. The examiner can normally be reached on Mon-Thurs. 7:30am-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janice Mooneyham can be reached on (571) 272-6805. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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